

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 19, 2009

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JOURNAL OF THE SENATE

SIXTY-SEVENTH CALENDAR DAY
FORTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 19, 2009

The Senate met in regular session at 8:49 a.m., President Kibbie presiding.

Prayer was offered by Reverend Tim Phillips, pastor of the Gloria Dei Lutheran Church in Urbandale, Iowa. He was the guest of Senator Zaun.

The Journal of Wednesday, March 18, 2009, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Ray Walton, the governor's appointee, to be the Director of the Department of Administrative Services. He was the guest of Senator Appel and the committee on State Government.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 18, 2009, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 364](#), a bill for an act relating to civil actions including certain limitations on actions, judgments, and executions and including actions relating to the foreclosure of real estate mortgages, and providing effective date and applicability provisions.

[Senate File 365](#), a bill for an act relating to trusts and estates including the administration of small estates and including retroactive and other applicability provisions.

ALSO: That the House has on March 18, 2009, **amended and passed** the following bill in which the concurrence of the House was asked:

[Senate File 137](#), a bill for an act providing that wage discrimination is an unfair employment practice under the Iowa civil rights Act and providing an enhanced remedy. ([S-3110](#))

ALSO: That the House has on March 18, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 243](#), a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision.

Read first time and attached to **similar** [Senate File 133](#).

[House File 317](#), a bill for an act relating to inclusion of assisted living services under the medical assistance home and community-based services waiver for the elderly.

Read first time and referred to committee on **Human Resources**.

[House File 487](#), a bill for an act requiring postsecondary institutions and schools to provide students with specific textbook information.

Read first time and referred to committee on **Education**.

[House File 706](#), a bill for an act relating to and publicizing mortgage foreclosure and real estate obligation protections for members of the national guard, and the reserve or regular component of the armed forces of the United States in active duty service, and providing a penalty.

Read first time and referred to committee on **Veterans Affairs**.

[House File 723](#), a bill for an act relating to various matters under the purview of the insurance division of the department of commerce including the uniform securities act; insurance division; articles of

incorporation filing requirements; viatical settlements contracts; life insurance companies and associations; long-term care insurance; long-term care asset disregard incentives; insurance other than life; insurance guaranty association; county mutual insurance associations; state mutual insurance associations; consolidation, merger, and reinsurance; and cemetery and funeral merchandise and funeral services; and providing for an immediate effective date and retroactive applicability.

Read first time and referred to committee on **Commerce**.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Courtney asked and received unanimous consent to take up for consideration [Senate File 389](#).

[Senate File 389](#)

On motion of Senator Hatch, [Senate File 389](#), a bill for an act relating to health care, health care providers, and health care coverage, providing penalties, and providing retroactive and other effective dates, was taken up for consideration.

The Senate stood at ease at 9:09 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:20 a.m., President Kibbie presiding.

RECESS

On motion of Senator Hancock, the Senate recessed at 10:21 a.m. until 2:00 p.m.

APPENDIX—1**CERTIFICATES OF RECOGNITION**

The Secretary of the Senate issued the following certificates of recognition:

Jessica Eilers, Reinbeck—For receiving a 2009 Great Iowa Nurses Award. Senator Kapucian (3/19/09).

Brooke Moore, Newhall—For receiving a 2009 Great Iowa Nurses Award. Senator Kapucian (3/19/09).

Tawnya Salsbery, Newhall—For receiving a 2009 Great Iowa Nurses Award. Senator Kapucian (3/19/09).

REPORTS OF COMMITTEE MEETINGS**APPROPRIATIONS**

Convened: Thursday, March 19, 2009, 12:05 p.m.

Members Present: Dvorsky, Chair; Kettering, Ranking Member; Appel, Bartz, Boettger, Bolkcom, Danielson, Dearden, Feenstra, Fraise, Hahn, Hancock, Hogg, Jochum, Noble, Ragan, Schoenjahn, Seng, and Warnstadt.

Members Absent: McCoy, Vice Chair; Dotzler, Hatch, Johnson, Kapucian, and Seymour (all excused).

Committee Business: Passed [SF 368](#), as amended.

Adjourned: 12:10 p.m.

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Convened: Thursday, March 19, 2009, 10:30 a.m.

Members Present: Schoenjahn, Chair; Quirnbach, Vice Chair; Boettger, Ranking Member; Feenstra and Horn.

Members Absent: None.

Committee Business: Discussed budget priorities.

Adjourned: 11:10 a.m.

SUBCOMMITTEE ASSIGNMENTS

[Senate File 378](#)

WAYS AND MEANS: Quirnbach, Chair; Bartz and McCoy

[Senate File 448](#)

WAYS AND MEANS: Jochum, Chair; Quirnbach and Zaun

[Senate File 450](#)

WAYS AND MEANS: Quirnbach, Chair; Bolkcom and Ward

[House File 670](#)

STATE GOVERNMENT: Dearden, Chair; Black and Wieck

[House File 684](#)

WAYS AND MEANS: Stewart, Chair; Feenstra and Wilhelm

[House File 697](#)

JUDICIARY: Kreiman, Chair; Fraise and Noble

[House File 707](#)

STATE GOVERNMENT: Courtney, Chair; Danielson and Seymour

[House File 713](#)

JUDICIARY: Kreiman, Chair; Soddors and Ward

[House File 723](#)

COMMERCE: Heckroth, Chair; Stewart and Wieck

[SSB 1310](#)

APPROPRIATIONS: Danielson, Chair; Bartz and Dvorsky

[SSB 1311](#)

WAYS AND MEANS: Jochum, Chair; Hamerlinck and Stewart

AFTERNOON SESSION

The Senate reconvened at 2:10 p.m., President Kibbie presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Johnson and Ward, until they arrive, on request of Senator McKinley.

BUSINESS PENDING

Senate File 389

The Senate resumed consideration of **Senate File 389**, a bill for an act relating to health care, health care providers, and health care coverage, providing penalties, and providing retroactive and other effective dates, previously deferred.

Senator Hatch offered amendment **S-3072**, filed by him on March 16, 2009, to pages 1, 2, 8–10, 22, 27, and 28 of the bill.

Senator Hatch offered amendment **S-3100**, filed by him on March 18, 2009, pages 4 and 5 of amendment **S-3072**, and moved its adoption.

A record roll call was requested.

On the question “Shall amendment **S-3100** to amendment **S-3072** be adopted?” (**S.F. 389**) the vote was:

Yeas, 33:

Appel	Dotzler	Jochum	Schoenjahn
Bartz	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Sodders
Black	Gronstal	McCoy	Stewart
Bolkcom	Hancock	Olive	Warnstadt
Courtney	Hatch	Quirnbach	Wilhelm
Dandekar	Heckroth	Ragan	
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	

Nays, 15:

Behn	Hamerlinck	Kettering	Seymour
Boettger	Hartsuch	McKinley	Wieck
Feenstra	Houser	Noble	Zaun
Hahn	Kapucian	Reynolds	

Absent, 2:

Johnson Ward

Amendment [S-3100](#) was adopted.

Senator Hatch offered amendment [S-3115](#), filed by him from the floor to page 8 of amendment [S-3072](#), and moved its adoption.

A record roll call was requested.

On the question “Shall amendment [S-3115](#) to amendment [S-3072](#) be adopted?” ([S.F. 389](#)) the vote was:

Yeas, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Nays, 16:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Seymour
Boettger	Hartsuch	McKinley	Wieck
Feenstra	Houser	Noble	Zaun

Absent, 2:

Johnson Ward

Amendment [S-3115](#) was adopted.

Senator Hatch moved the adoption of amendment [S-3072](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-3072](#), as amended, be adopted?” ([S.F. 389](#)) the vote was:

Yeas, 29:

Appel	Dvorsky	Kibbie	Seng
Beall	Fraise	Kreiman	Sodders
Black	Gronstal	McCoy	Stewart
Bolkcom	Hatch	Quirnbach	Warnstadt
Courtney	Heckroth	Ragan	Wilhelm
Danielson	Hogg	Rielly	
Dearden	Horn	Schmitz	
Dotzler	Jochum	Schoenjahn	

Nays, 19:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Seymour
Boettger	Hancock	McKinley	Wieck
Dandekar	Hartsuch	Noble	Zaun
Feenstra	Houser	Olive	

Absent, 2:

Johnson	Ward
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Amendment [S-3072](#), as amended, was adopted.

Senator Hatch offered amendment [S-3073](#), filed by him on March 16, 2009, to pages 32, 35, 47, 49–51, 53–56, 58–61, 69, 71, and 73–75 of the bill.

Senator Bolkcom offered amendment [S-3111](#), filed by Senators Bolkcom and McCoy from the floor to pages 4–6 of amendment [S-3073](#).

Senator Bolkcom called for the following division of amendment [S-3111](#):

Division [S-3111A](#): Page 1, lines 3–10; and
 Division [S-3111B](#): Page 1, lines 11–24.

Senator Bolkcom asked and received unanimous consent to withdraw division B of amendment [S-3111](#).

Senator Bolkcom moved the adoption of division [S-3111A](#), to [S-3073](#).

A record roll call was requested.

On the question “Shall division [S-3111A](#) be adopted?” ([S.F. 389](#)) the vote was:

Yeas, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Nays, 16:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Seymour
Boettger	Hartsuch	McKinley	Wieck
Feenstra	Houser	Noble	Zaun

Absent, 2:

Johnson	Ward
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Division [S-3111A](#) was adopted.

Senator Hatch moved the adoption of amendment [S-3073](#), as amended.

A record roll call was requested.

On the question “Shall amendment [S-3073](#), as amended, be adopted?” ([S.F. 389](#)) the vote was:

Yeas, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart

Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Nays, 16:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Seymour
Boettger	Hartsuch	McKinley	Wieck
Feenstra	Houser	Noble	Zaun

Absent, 2:

Johnson	Ward
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Amendment [S-3073](#), as amended, was adopted.

Senator Hatch moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 389](#)), the vote was:

Yeas, 30:

Appel	Dvorsky	Jochum	Schoenjahn
Beall	Fraise	Kibbie	Seng
Black	Gronstal	Kreiman	Sodders
Bolkcom	Hancock	McCoy	Stewart
Courtney	Hatch	Quirnbach	Warnstadt
Danielson	Heckroth	Ragan	Wilhelm
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Nays, 18:

Bartz	Hahn	Kettering	Seymour
Behn	Hamerlinck	McKinley	Wieck
Boettger	Hartsuch	Noble	Zaun
Dandekar	Houser	Olive	
Feenstra	Kapucian	Reynolds	

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that [Senate File 389](#) be **immediately messaged** to the House.

The Senate stood at ease at 3:22 p.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 4:34 p.m., President Pro Tempore Danielson presiding.

CONSIDERATION OF BILLS
(Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 451, 449, 447, 446, and 445.

[Senate File 451](#)

On motion of Senator Kibbie, [Senate File 451](#), a bill for an act relating to the definition of resident for purposes of tuition and fees for qualified veterans, and certain military persons, and their spouses and dependent children at Iowa's public universities and community colleges, was taken up for consideration.

Senator Kibbie moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 451](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck

Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 449](#)

On motion of Senator Sodders, [Senate File 449](#), a bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and applicability date provisions, was taken up for consideration.

Senator Kreiman offered amendment [S-3103](#), filed by committee on Judiciary on March 18, 2009, to pages 7 and 130 of the bill, and moved its adoption.

Amendment [S-3103](#) was adopted by a voice vote.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 449](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt

Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 447](#)

On motion of Senator Olive, [Senate File 447](#), a bill for an act concerning off-premises consumption of resealed bottles of wine, was taken up for consideration.

Senator Zaun offered amendment [S-3121](#), filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

A record roll call was requested.

On the question "Shall amendment [S-3121](#) be adopted?" ([S.F. 447](#)) the vote was:

Yeas, 15:

Bartz	Hahn	Kapucian	Seymour
Behn	Hamerlinck	Kettering	Wieck
Boettger	Hartsuch	McKinley	Zaun
Feenstra	Houser	Reynolds	

Nays, 33:

Appel	Dvorsky	Kibbie	Schoenjahn
Beall	Fraise	Kreiman	Seng
Black	Gronstal	McCoy	Sodders
Bolkcom	Hancock	Noble	Stewart
Courtney	Hatch	Olive	Warnstadt
Dandekar	Heckroth	Quirnbach	Wilhelm
Danielson	Hogg	Ragan	

Dearden	Horn	Rielly
Dotzler	Jochum	Schmitz

Absent, 2:

Johnson	Ward
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Amendment [S-3121](#) lost.

Senator Olive moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 447](#)), the vote was:

Yeas, 47:

Appel	Dvorsky	Houser	Rielly
Bartz	Feenstra	Jochum	Schmitz
Beall	Fraise	Kapucian	Schoenjahn
Behn	Gronstal	Kettering	Seng
Black	Hahn	Kibbie	Seymour
Boettger	Hamerlinck	McCoy	Sodders
Bolkcom	Hancock	McKinley	Stewart
Courtney	Hartsuch	Noble	Warnstadt
Dandekar	Hatch	Olive	Wieck
Danielson	Heckroth	Quirnbach	Wilhelm
Dearden	Hogg	Ragan	Zaun
Dotzler	Horn	Reynolds	

Nays, 1:

Kreiman

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 446](#)

On motion of Senator Sodders, [Senate File 446](#), a bill for an act relating to nonsubstantive Code corrections and providing effective dates and for retroactive applicability, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 446](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 445](#)

On motion of Senator Schoenjahn, [Senate File 445](#), a bill for an act relating to teacher compensation by requiring school corporations to incorporate teacher compensation into individual salary schedules and by eliminating the educational excellence program, was taken up for consideration.

Senator Schoenjahn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 445](#)), the vote was:

Yeas, 32:

Appel	Dotzler	Horn	Rielly
Beall	Dvorsky	Jochum	Schmitz
Black	Fraise	Kibbie	Schoenjahn
Bolkcom	Gronstal	Kreiman	Seng
Courtney	Hancock	McCoy	Sodders
Dandekar	Hatch	Olive	Stewart
Danielson	Heckroth	Quirnbach	Warnstadt
Dearden	Hogg	Ragan	Wilhelm

Nays, 16:

Bartz	Hahn	Kapucian	Reynolds
Behn	Hamerlinck	Kettering	Seymour
Boettger	Hartsuch	McKinley	Wieck
Feenstra	Houser	Noble	Zaun

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 445, 446, 447, 449, and 451** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 443, 432, 424, and 420.

[Senate File 443](#)

On motion of Senator Jochum, [Senate File 443](#), a bill for an act requiring automated external defibrillators in all physical exercise clubs and clinical exercise centers, and providing an effective date, was taken up for consideration.

Senator Sodders offered amendment [S-3118](#), filed by Senators Sodders and Hartsuch from the floor to page 2 of the bill, and moved its adoption.

Amendment [S-3118](#) was adopted by a voice vote.

Senator Jochum moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 443](#)), the vote was:

Yeas, 40:

Appel	Dvorsky	Horn	Rielly
Bartz	Feenstra	Houser	Schmitz
Beall	Fraise	Jochum	Schoenjahn
Black	Gronstal	Kibbie	Seng
Bolkcom	Hahn	Kreiman	Seymour
Courtney	Hancock	McCoy	Sodders
Dandekar	Hartsuch	Noble	Stewart
Danielson	Hatch	Olive	Warnstadt
Dearden	Heckroth	Quirnbach	Wieck
Dotzler	Hogg	Ragan	Wilhelm

Nays, 8:

Behn	Hamerlinck	Kettering	Reynolds
Boettger	Kapucian	McKinley	Zaun

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 432](#)

On motion of Senator Kibbie, [Senate File 432](#), a bill for an act regulating animal feeding operations, making penalties applicable, and providing for penalties, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on [Senate File 432](#) be **deferred**.

Senate File 424

On motion of Senator Dearden, [Senate File 424](#), a bill for an act providing time off from work to attend presidential precinct caucuses and making penalties applicable, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 424](#)), the vote was:

Yeas, 35:

Appel	Dotzler	Hogg	Rielly
Bartz	Dvorsky	Horn	Schmitz
Beall	Fraise	Jochum	Schoenjahn
Black	Gronstal	Kibbie	Seng
Bolkcom	Hahn	Kreiman	Sodders
Courtney	Hamerlinck	McCoy	Stewart
Dandekar	Hancock	Olive	Warnstadt
Danielson	Hatch	Quirnbach	Wilhelm
Dearden	Heckroth	Ragan	

Nays, 13:

Behn	Houser	Noble	Zaun
Boettger	Kapucian	Reynolds	
Feenstra	Kettering	Seymour	
Hartsuch	McKinley	Wieck	

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

President Kibbie took the chair at 5:38 p.m.

Senate File 420

On motion of Senator Black, [Senate File 420](#), a bill for an act concerning limitations on employment of persons employed by a wine permittee engaged in manufacturing and wholesaling native wine, was taken up for consideration.

Senator Black moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 420](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

[House File 315](#), a bill for an act creating an Iowa collaboration for youth development council and state of Iowa youth advisory council in the department of human rights.

Read first time and **passed on file**.

[House File 672](#), a bill for an act relating to individual development accounts available to certain persons with low income and providing effective and applicability date provisions.

Read first time and **passed on file**.

[House File 735](#), a bill for an act providing for the stockpiling of dry manure originating from confinement feeding operations, making penalties applicable, and providing an effective date.

Read first time and attached to **companion [Senate File 406](#)**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 420, 424, and 443** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 419, 415, 407, 406, and 404.

[Senate File 419](#)

On motion of Senator Danielson, [Senate File 419](#), a bill for an act relating to matters under the purview of the department of transportation, including provisions for the administration of the department, driver licensing, vehicle regulation, the motor fuel tax formula, and the issuance of citations, establishing a cap on annual deposits to the TIME-21 fund, providing a penalty, and providing effective and retroactive applicability dates, was taken up for consideration.

Senator Danielson moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 419](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 415](#)

On motion of Senator Hogg, [Senate File 415](#), a bill for an act relating to the acquisition of title to abandoned property by cities, was taken up for consideration.

Senator Hogg offered amendment [S-3109](#), filed by him on March 18, 2009, striking and replacing everything after the enacting clause and amending the title page of the bill, and moved its adoption.

Amendment [S-3109](#) was adopted by a voice vote.

Senator Hogg moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 415](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 407](#)

On motion of Senator Sodders, [Senate File 407](#), a bill for an act relating to the rights and responsibilities of Iowa veterans home members, was taken up for consideration.

Senator Sodders moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 407](#)), the vote was:

Yeas, 46:

Appel	Dvorsky	Jochum	Schmitz
Bartz	Feenstra	Kapucian	Schoenjahn
Beall	Fraise	Kettering	Seng
Behn	Gronstal	Kibbie	Seymour
Black	Hahn	McCoy	Sodders
Boettger	Hamerlinck	McKinley	Stewart
Bolkcom	Hancock	Noble	Warnstadt
Courtney	Hartsuch	Olive	Wieck

Dandekar	Hatch	Quirnbach	Wilhelm
Danielson	Heckroth	Ragan	Zaun
Dearden	Hogg	Reynolds	
Dotzler	Houser	Rielly	

Nays, 2:

Horn	Kreiman
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Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 406](#)

On motion of Senator Olive, [Senate File 406](#), a bill for an act providing for the stockpiling of dry manure originating from confinement feeding operations, making penalties applicable, and providing an effective date, was taken up for consideration.

Senator Olive asked and received unanimous consent that [House File 735](#) be **substituted** for [Senate File 406](#).

[House File 735](#)

On motion of Senator Olive, [House File 735](#), a bill for an act providing for the stockpiling of dry manure originating from confinement feeding operations, making penalties applicable, and providing an effective date, with report of committee recommending passage, was taken up for consideration.

Senator Olive moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 735](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz

Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Olive asked and received unanimous consent that [Senate File 406](#) be **withdrawn** from further consideration of the Senate.

[Senate File 404](#)

On motion of Senator Heckroth, [Senate File 404](#), a bill for an act establishing a local food and farm task force, providing for a local food and farm plan, and providing for an effective date, was taken up for consideration.

Senator Heckroth offered amendment [S-3097](#), filed by him on March 18, 2009, to page 1 of the bill, and moved its adoption.

Amendment [S-3097](#) was adopted by a voice vote.

Senator Heckroth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 404](#)), the vote was:

Yeas, 36:

Appel	Dvorsky	Houser	Ragan
Beall	Fraise	Jochum	Rielly

Black	Gronstal	Kettering	Schmitz
Bolkcom	Hahn	Kibbie	Schoenjahn
Courtney	Hancock	Kreiman	Seng
Dandekar	Hatch	McCoy	Sodders
Danielson	Heckroth	Noble	Stewart
Dearden	Hogg	Olive	Warnstadt
Dotzler	Horn	Quirnbach	Wilhelm

Nays, 12:

Bartz	Feenstra	Kapucian	Seymour
Behn	Hamerlinck	McKinley	Wieck
Boettger	Hartsuch	Reynolds	Zaun

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 404, 407, 415, and 419** and [House File 735](#) be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 403, 380, 379, 372, and 366.

[Senate File 403](#)

On motion of Senator Warnstadt, [Senate File 403](#), a bill for an act concerning the sale of beer by native wineries, was taken up for consideration.

Senator Warnstadt moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 403](#)), the vote was:

Yeas, 47:

Appel	Dvorsky	Houser	Rielly
Bartz	Feenstra	Jochum	Schmitz
Beall	Fraise	Kapucian	Schoenjahn
Behn	Gronstal	Kettering	Seng
Black	Hahn	Kibbie	Seymour
Boettger	Hamerlinck	McCoy	Sodders
Bolkcom	Hancock	McKinley	Stewart
Courtney	Hartsuch	Noble	Warnstadt
Dandekar	Hatch	Olive	Wieck
Danielson	Heckroth	Quirnbach	Wilhelm
Dearden	Hogg	Ragan	Zaun
Dotzler	Horn	Reynolds	

Nays, 1:

Kreiman

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 380](#)

On motion of Senator Fraise, [Senate File 380](#), a bill for an act relating to the practices and procedures of the department of public safety including school inspections, gaming floor or wagering area restrictions, interception of communications, and peace officers acting with federal agents, and providing penalties, was taken up for consideration.

Senator Fraise moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 380](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly

Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 379](#)

On motion of Senator Rielly, [Senate File 379](#), a bill for an act relating to the use of insurance loss history in the issuance of dramshop liability insurance, was taken up for consideration.

Senator Rielly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 379](#)), the vote was:

Yeas, 34:

Appel	Dvorsky	Jochum	Schoenjahn
Beall	Fraise	Kibbie	Seng
Black	Gronstal	Kreiman	Sodders
Bolkcom	Hahn	McCoy	Stewart
Courtney	Hancock	Olive	Warnstadt
Dandekar	Hatch	Quirnbach	Wilhelm
Danielson	Heckroth	Ragan	Zaun
Dearden	Hogg	Rielly	
Dotzler	Horn	Schmitz	

Nays, 14:

Bartz	Hamerlinck	Kettering	Seymour
Behn	Hartsuch	McKinley	Wieck

Boettger	Houser	Noble
Feenstra	Kapucian	Reynolds

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 372](#)

On motion of Senator Heckroth, [Senate File 372](#), a bill for an act requesting the establishment of a telecommunications regulation interim study committee, was taken up for consideration.

Senator Warnstadt offered amendment [S-3082](#), filed by Senators Warnstadt and Behn on March 17, 2009, to page 1 and amending the title page of the bill, and moved its adoption.

Amendment [S-3082](#) was adopted by a voice vote.

Senator Heckroth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 372](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 366](#)

On motion of Senator Kreiman, [Senate File 366](#), a bill for an act relating to the emancipation of a minor and family in need of assistance proceedings, was taken up for consideration.

Senator Kreiman offered amendment [S-3081](#), filed by him on March 17, 2009, to page 4 of the bill, and moved its adoption.

Amendment [S-3081](#) was adopted by a voice vote.

Senator Kreiman moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 366](#)), the vote was:

Yeas, 46:

Appel	Fraise	Kapucian	Schmitz
Bartz	Gronstal	Kettering	Schoenjahn
Beall	Hahn	Kibbie	Seng
Black	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun
Dvorsky	Houser	Reynolds	
Feenstra	Jochum	Rielly	

Nays, 2:

Behn Boettger

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 366, 372, 379, 380, and 403** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 357, 339, 336, 311, and 280.

[Senate File 357](#)

On motion of Senator Dearden, [Senate File 357](#), a bill for an act relating to the duties of the labor commissioner pursuant to wage payment collection and child labor law enforcement, and providing penalties, was taken up for consideration.

Senator Dearden offered amendment [S-3074](#), filed by him on March 16, 2009, to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3074](#) was adopted by a voice vote.

Senator Dearden asked and received unanimous consent that [House File 618](#) be **substituted** for [Senate File 357](#).

[House File 618](#)

On motion of Senator Dearden, [House File 618](#), a bill for an act relating to the duties of the labor commissioner pursuant to wage payment collection and child labor law enforcement, and providing

penalties, with report of committee recommending passage, was taken up for consideration.

Senator Dearden moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 618](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

WITHDRAWN

Senator Dearden asked and received unanimous consent that [Senate File 357](#) be **withdrawn** from further consideration of the Senate.

[Senate File 339](#)

On motion of Senator Rielly, [Senate File 339](#), a bill for an act relating to wastewater treatment, was taken up for consideration.

Senator Rielly offered amendment [S-3108](#), filed by him on March 18, 2009, to pages 1, 3, 4, 11, and 12 and amending the title page of the bill.

Senator Rielly offered amendment [S-3120](#), filed by him from the floor to page 1 of amendment [S-3108](#), and moved its adoption.

Amendment [S-3120](#) was adopted by a voice vote.

Senator Rielly moved the adoption of amendment [S-3108](#), as amended.

Amendment [S-3108](#), as amended, was adopted by a voice vote.

Senator Rielly offered amendment [S-3119](#), filed by him from the floor to page 9 of the bill, and moved its adoption.

Amendment [S-3119](#) was adopted by a voice vote.

Senator Rielly moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 339](#)), the vote was:

Yeas, 46:

Appel	Feenstra	Jochum	Schmitz
Bartz	Fraise	Kapucian	Schoenjahn
Beall	Gronstal	Kettering	Seng
Behn	Hahn	Kibbie	Seymour
Black	Hamerlinck	Kreiman	Sodders
Boettger	Hancock	McKinley	Stewart
Bolkcom	Hartsuch	Noble	Warnstadt
Courtney	Hatch	Olive	Wieck
Dandekar	Heckroth	Quirnbach	Wilhelm
Danielson	Hogg	Ragan	Zaun
Dotzler	Horn	Reynolds	
Dvorsky	Houser	Rielly	

Nays, 2:

Dearden McCoy

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

UNFINISHED BUSINESS
(Deferred March 11, 2009)

[Senate File 336](#)

The Senate resumed consideration of **[Senate File 336](#)**, a bill for an act providing for waivers of certain community attraction and tourism program requirements and including an effective date provision, and amendment **[S-3066](#)**, deferred March 11, 2009.

Senator Dandekar withdrew amendment **[S-3066](#)**, filed by her on March 10, 2009, to page 1 of the bill.

Senator Hogg offered amendment **[S-3114](#)**, filed by him from the floor to page 1 and amending the title page of the bill, and moved its adoption.

Amendment **[S-3114](#)** was adopted by a voice vote.

Senator Dandekar moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**[S.F. 336](#)**), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders

Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 311](#)

On motion of Senator Heckroth, [Senate File 311](#), a bill for an act relating to the regulation of the business of debt management and making penalties applicable, was taken up for consideration.

Senator Heckroth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 311](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

Senate File 280

On motion of Senator Horn, [Senate File 280](#), a bill for an act relating to disaster emergency assistance immunity, was taken up for consideration.

Senator Hogg offered amendment [S-3113](#), filed by him from the floor striking and replacing everything after the enacting clause of the bill, and moved its adoption.

Amendment [S-3113](#) was adopted by a voice vote.

Senator Horn moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 280](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 280, 311, 336, and 339** and **House File 618** be **immediately messaged** to the House.

CONSIDERATION OF BILLS (Regular Calendar)

Senator Gronstal asked and received unanimous consent to take up for consideration Senate Files 279, 231, 153, and 133.

Senate File 279

On motion of Senator Heckroth, **Senate File 279**, a bill for an act providing for the establishment of an abbreviated electric transmission franchise process, and providing an effective date, was taken up for consideration.

Senator Heckroth offered amendment **S-3116**, filed by him from the floor to page 1 of the bill, and moved its adoption.

Amendment **S-3116** was adopted by a voice vote.

Senator Heckroth moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" (**S.F. 279**), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz

Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders
Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

UNFINISHED BUSINESS
(Deferred March 5, 2009)

Senate File 231

The Senate resumed consideration of [Senate File 231](#), a bill for an act relating to reimbursing nonparticipating providers under the IowaCare program and creating a nonparticipating provider reimbursement fund, deferred March 5, 2009.

Senator Bartz withdrew amendment [S-3062](#), filed by him on March 5, 2009, to page 2 of the bill.

Senator Wilhelm moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([S.F. 231](#)), the vote was:

Yeas, 48:

Appel	Dvorsky	Houser	Reynolds
Bartz	Feenstra	Jochum	Rielly
Beall	Fraise	Kapucian	Schmitz
Behn	Gronstal	Kettering	Schoenjahn
Black	Hahn	Kibbie	Seng
Boettger	Hamerlinck	Kreiman	Seymour
Bolkcom	Hancock	McCoy	Sodders

Courtney	Hartsuch	McKinley	Stewart
Dandekar	Hatch	Noble	Warnstadt
Danielson	Heckroth	Olive	Wieck
Dearden	Hogg	Quirnbach	Wilhelm
Dotzler	Horn	Ragan	Zaun

Nays, none.

Absent, 2:

Johnson	Ward
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

[Senate File 153](#)

On motion of Senator Dotzler, [Senate File 153](#), a bill for an act to allow medical or osteopathic physicians, physician assistants, and nurse practitioners to form limited liability companies or professional corporations, was taken up for consideration.

Senator Dotzler offered amendment [S-3112](#), filed by him from the floor to pages 1–4 and amending the title page of the bill, and moved its adoption.

Amendment [S-3112](#) was adopted by a voice vote.

Senator Dotzler moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question “Shall the bill pass?” ([S.F. 153](#)), the vote was:

Yeas, 35:

Appel	Dvorsky	Kapucian	Rielly
Bartz	Fraise	Kibbie	Schmitz
Beall	Gronstal	Kreiman	Schoenjahn
Boettger	Hamerlinck	McCoy	Seng
Bolkcom	Hancock	Noble	Sodders
Courtney	Hatch	Olive	Stewart
Danielson	Horn	Quirnbach	Wilhelm
Dearden	Houser	Ragan	Zaun
Dotzler	Jochum	Reynolds	

Nays, 13:

Behn	Hahn	Kettering	Wieck
Black	Hartsuch	McKinley	
Dandekar	Heckroth	Seymour	
Feenstra	Hogg	Warnstadt	

Absent, 2:

Johnson Ward

The bill, having received a constitutional majority, was declared to have passed the Senate and the title, as amended, was agreed to.

[Senate File 133](#)

On motion of Senator Sodders, [Senate File 133](#), a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision, was taken up for consideration.

Senator Sodders offered amendment [S-3117](#), filed by him from the floor to pages 1 and 2 of the bill, and moved its adoption.

Amendment [S-3117](#) was adopted by a voice vote.

Senator Sodders asked and received unanimous consent that [House File 243](#) be **substituted** for [Senate File 133](#).

[House File 243](#)

On motion of Senator Sodders, [House File 243](#), a bill for an act providing for gender balance on local boards, commissions, committees, and councils, and including an applicability provision, with report of committee recommending passage, was taken up for consideration.

Senator Gronstal asked and received unanimous consent that action on [House File 243](#) be **deferred**.

IMMEDIATELY MESSAGED

Senator Gronstal asked and received unanimous consent that **Senate Files 153, 231, and 279** be **immediately messaged** to the House.

BILLS PLACED ON UNFINISHED BUSINESS CALENDAR

Senator Gronstal asked and received unanimous consent that the following bills be placed on the Unfinished Business Calendar:

[H.F. 122](#)

[H.F. 180](#)

[H.F. 314](#)

S.F. 276 and attached [H.F. 475](#)

BILLS REFERRED TO COMMITTEE

Senator Gronstal asked and received unanimous consent that the following Senate Files be referred from the Regular Calendar to the following committees:

[S.F. 227](#) State Government

[S.F. 359](#) Appropriations

[S.F. 373](#) Appropriations

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 19, 2009, **passed** the following bills in which the concurrence of the Senate is asked:

House File 477, a bill for an act relating to declaration of value forms for the conveyance of real estate by making social security numbers and tax identification numbers confidential.

Read first time and **passed on file**.

[House File 502](#), a bill for an act providing for petition and election to approve the use of increased local sales and services tax revenues to fund urban renewal projects.

Read first time and **passed on file**.

[House File 562](#), a bill for an act relating to the council on human services and the state child care advisory council.

Read first time and **passed on file**.

ADJOURNMENT

On motion of Senator Gronstal, the Senate adjourned at 7:50 p.m. until 1:00 p.m., Monday, March 23, 2009.

APPENDIX—2

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Joe Frisbie, Sioux City—For his nearly 42 years of service on the Sioux City Police Department. Senator Warnstadt (3/19/09).

2008 Iowa State Cyclones Volleyball Team—For an outstanding season and the team's appearance in the NCAA Women's Volleyball Tournament. Senator Quirnbach (3/19/09).

Coach Kevin Miller, Coach Brad Randall, and the Solon Spartans—For being the first Class 2-A school to complete the football/basketball State Champion sweep. Senator Dvorsky (3/19/09).

Coach Brad Randall and the Solon Spartans—For winning the 2009 Iowa State 2-A Basketball Championship. Senator Dvorsky (3/19/09).

Surf Ballroom, Clear Lake—Honoring it as a Rock and Roll Hall of Fame historical landmark on the 50th anniversary of Buddy Holly's last performance and applauding its contributions to the State of Iowa as a cultural icon. Senators Bartz and Ragan (3/19/09).

REPORTS OF COMMITTEE MEETINGS

COMMERCE

Convened: Thursday, March 19, 2009. 1:05 p.m.

Members Present: Warnstadt, Chair; Heckroth, Vice Chair; Wieck, Ranking Member; Behn, Bolkcom, Courtney, Dandekar, Hartsuch, Kettering, McCoy, Olive, Rielly, Schmitz, and Stewart.

Members Absent: Ward (excused).

Committee Business: Passed HF3 311 and 478. Approved governor's appointments.

Adjourned: 2:00 p.m.

GOVERNMENT OVERSIGHT

Convened: Thursday, March 19, 2009, 10:40 a.m.

Members Present: Olive, Chair; Courtney, Vice Chair; and Wieck.

Members Absent: Ward, Ranking Member; and Sodders (both excused).

Committee Business: Discussions with the Division of Criminal Investigation and the Office of Citizens' Aide/Ombudsman.

Adjourned: 11:40 a.m.

STUDY BILLS RECEIVED

SSB 1310 Appropriations

Relating to and making appropriations to certain state departments, agencies, funds, and certain other entities, providing for regulatory authority, and other properly related matters.

SSB 1311 Ways and Means

Eliminating the sales tax exemption for certain video rental sales.

SUBCOMMITTEE ASSIGNMENT

House File 317

HUMAN RESOURCES: Ragan, Chair; Boettger and Wilhelm

FINAL COMMITTEE REPORTS OF BILL ACTION

COMMERCE

Bill Title: *[HOUSE FILE 311](#), a bill for an act requiring health care benefit coverage for certain medically necessary prosthetic devices and providing an applicability date.

Recommendation: AMEND AND DO PASS ([S-3124](#)).

Final Vote: Ayes, 10: Warnstadt, Heckroth, Bolkcom, Courtney, Dandekar, McCoy, Olive, Rielly, Schmitz, and Stewart. Nays, 4: Wieck, Behn, Hartsuch and Kettering. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Senate Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Commerce Committee on [House File 311](#), and they were attached to the committee report.

ALSO

Bill Title: [HOUSE FILE 478](#), a bill for an act relating to health insurance coverage for diabetes self-management training and education programs and providing effective and applicability dates.

Recommendation: DO PASS.

Final Vote: Ayes, 10: Warnstadt, Heckroth, Bolkcom, Courtney, Dandekar, McCoy, Olive, Rielly, Schmitz, and Stewart. Nays, 4: Wieck, Behn, Hartsuch and Kettering. Absent, 1: Ward.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

BILLS SIGNED BY THE GOVERNOR

A communication was received announcing that on March 19, 2009, the Governor approved and transmitted to the Secretary of State the following bills:

[Senate File 98](#) – Establishing a lean enterprise office within the department of management.

[Senate File 108](#) – Relating to the membership of the public safety communications interoperability board and providing an effective and applicability date provision.

[Senate File 319](#) – Relating to child support enforcement including withholding of an employee's compensation by an employer for support of a child under a support order, protection of child support information, annual collections fees, and the potential charging of interest on overdue child support payments, and providing an effective date.

[Senate File 328](#) – Relating to reimbursement of hazardous substance cleanup costs.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Calendar with recommendation for confirmation:

COMMERCE

Dave Cale – Credit Union Review Board
 Timothy Marcsisak – Credit Union Review Board

 Thomas Gronstal – Superintendent of Banking

 Timothy Reilly – Title Guaranty Division Board

AMENDMENTS FILED

S-3110	S.F. 137	House
S-3111	S.F. 389	Joe Bolkcom Matt McCoy
S-3112	S.F. 153	William A. Dotzler, Jr.
S-3113	S.F. 280	Robert M. Hogg
S-3114	S.F. 336	Robert M. Hogg
S-3115	S.F. 389	Jack Hatch
S-3116	S.F. 279	Bill Heckroth
S-3117	S.F. 133	Steven J. Soddors
S-3118	S.F. 443	Steven J. Soddors David Hartsuch
S-3119	S.F. 339	Tom Rielly
S-3120	S.F. 339	Tom Rielly
S-3121	S.F. 447	Brad Zaun
S-3122	S.F. 250	Steven J. Soddors
S-3123	S.F. 367	Pam Jochum
S-3124	H.F. 311	Commerce